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EXAMINER

YOUNG, JOHN L

ART UNIT PAPER NUMBER

3622

DATE MAILED: 02/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/605,695

Applicant(s)
Schein,

Examiner
John Young

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 28, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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FIRST ACTION REJECTION**DRAWINGS**

1. This application has been filed with drawings that are considered informal; however, said drawings are acceptable for examination and publication purposes. The review process for drawings that are included with applications on filing has been modified in view of the new requirement to publish applications at eighteen months after the filing date of applications, or any priority date claimed under 35 U.S.C. §§119, 120, 121, or 365.

CLAIM REJECTION — 35 U.S.C. §103(a)

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter

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pertains. Patentability shall not be negated by the manner
in which the invention was made.

2. Claims 1-37 are rejected under 35 U.S.C. §103(a) as being obvious over Angles et al. US 5,933,811; class 705/14, (Aug. 03, 1999) [US f/d: 8/20/1996] (herein referred to as ("Angles").

As per independent claim 1, Angles (the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67; and whole document) shows elements that suggest the elements and limitations of claim 1.

Angles lacks an explicit recitation of "a mediator providing to the user at least a second media object based upon the information correlated with at least said first media object. . . ." even though Angles (the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) suggests same.

It would have been obvious at the time of the invention to a person of ordinary skill in the art that the disclosure of Angles (FIG. 4, el. 18; the ABSTRACT; FIG. 1

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through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) would have been selected in accordance with “a mediator providing to the user at least a second media object based upon the information correlated with at least said first media object. . . .” because such selection would have provided “an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.” (See Angles (col. 2, ll. 45-50)).

As per dependent claims 2-8, Angles shows the method of claim 1 and subsequent base claims depending from claim 1.

Angles lacks explicit recitation of the elements and limitations of claims 2-8, even though Angles suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claims 2-8 were notoriously well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of claims 2-8, because such elements and limitations would have provided “an on-line advertising service which

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can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.” (See Angles (col. 2, ll. 45-50)).

Independent claim 9 is rejected for substantially the same reasons as independent claim 1.

As per dependent claims 10-16 Angles shows the method of claim 9 and subsequent base claims depending from claim 9.

Angles lacks explicit recitation of the elements and limitations of claims 10-16, even though Angles suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claims 10-16 were notoriously well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of claims 10-16, because such elements and limitations would have provided “*an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.*” (See Angles (col. 2, ll. 45-50)).

As per independent claim 17, Angles (the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll.

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1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67; and whole document) shows elements that suggest the elements and limitations of claim 17.

Angles lacks an explicit recitation of “assigning the information to at least one media object, each media object having a content portion and a header so that a media object profile is created for each media object . . .” even though Angles (col. 1, ll. 55-67; col. 2, ll. 1-3; ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) suggests same.

It would have been obvious at the time of the invention to a person of ordinary skill in the art that the disclosure of Angles (the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) would have been selected in accordance with “assigning the information to at least one media object, each media object having a content portion and a header so that a media object profile is created for each media object . . .” because such selection would have provided “an on-line advertising service which can custom tailor specific

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advertisements to particular consumers and track consumer responses to the advertisements." (See Angles (col. 2, ll. 45-50)).

As per dependent claims 18-21, Angles shows the method of claim 17 and subsequent base claims depending from claim 17.

Angles lacks explicit recitation of the elements and limitations of claims 18-21, even though Angles suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claims 18-21 were notoriously well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of claims 18-21, because such elements and limitations would have provided *"an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements."* (See Angles (col. 2, ll. 45-50)).

As per independent claim 22, Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20,

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ll. 1-67; col. 23, ll. 1-67; and whole document) shows elements that suggest the elements and limitations of claim 22.

Angles lacks an explicit recitation of “a smart media object comprising a media object portion having information accessible to a user; and a media object profile portion containing information gathered from a plurality of users representing exercise of said media object by said plurality of users. . . .” even though Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) suggests same.

It would have been obvious at the time of the invention to a person of ordinary skill in the art that the disclosure of Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) would have been selected in accordance with “a smart media object comprising a media object portion having information accessible to a user; and a media object profile portion containing information gathered form a plurality of users representing exercise of said media object by said plurality of users. . . .” because such selection would have provided “*an on-line advertising service which can custom tailor*

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specific advertisements to particular consumers and track consumer responses to the advertisements.” (See Angles (col. 2, ll. 45-50)).

As per dependent claims 23-24, Angles shows the method of claim 22.

Angles lacks explicit recitation of the elements and limitations of claims 23-24, even though Angles suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claims 23-24 were notoriously well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of claims 23-24, because such elements and limitations would have provided “*an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.*” (See Angles (col. 2, ll. 45-50)).

As per independent claim 25, Angles (the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67; and whole document) shows elements that suggest the elements and limitations of claim 17.

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Angles lacks an explicit recitation of “detaching and decoding said coded header to obtain said profile. . . .” even though Angles (col. 1, ll. 55-67; col. 2, ll. 1-3; ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) suggests same.

It would have been obvious at the time of the invention to a person of ordinary skill in the art that the disclosure of Angles (col. 1, ll. 55-67; col. 2, ll. 1-3; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) would have been selected in accordance with “detaching and decoding said coded header to obtain said profile. . . .” because such selection would have provided “*an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.*” (See Angles (col. 2, ll. 45-50)).

As per dependent claim 26, Angles shows the method of claim 25.

Angles lacks explicit recitation of the elements and limitations of claim 26, even though Angles suggests same.

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Official Notice is taken that both the concepts and the advantages of the elements and limitations of claim 26 were notoriously well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of claim 26, because such elements and limitations would have provided *“an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.”* (See Angles (col. 2, ll. 45-50)).

As per independent claim 27, Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67; and whole document) shows elements that suggest the elements and limitations of claim 27.

Angles lacks an explicit recitation of “selecting smart media objects having media object profiles matching at least one characteristic of said media object profile of the user requested media object. . . .” even though Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-

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67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) suggests same.

It would have been obvious at the time of the invention to a person of ordinary skill in the art that the disclosure of Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) would have been selected in accordance with “selecting smart media objects having media object profiles matching at least one characteristic of said media object profile of the user requested media object. . . .” because such selection would have provided *“an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.”* (See Angles (col. 2, ll. 45-50)).

As per dependent claim 28, Angles shows the method of claim 27.

Angles lacks explicit recitation of the elements and limitations of claim 28, even though Angles suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claim 28 were notoriously well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at

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the time of the invention to include the elements and limitations of claim 28, because such elements and limitations would have provided *“an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.”* (See Angles (col. 2, ll. 45-50)).

As per independent claim 29, Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67; and whole document) shows elements that suggest the elements and limitations of claim 29.

Angles lacks an explicit recitation of “selecting at least one Internet link based on the profile of a user requested link and delivering to the user the requested link and at least one additional link having a link profile matching at least one aspect of the profile of the requested link. . . .” even though Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) suggests same.

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It would have been obvious at the time of the invention to a person of ordinary skill in the art that the disclosure of Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) would have been selected in accordance with “selecting at least one Internet link based on the profile of a user requested link and delivering to the user the requested link and at least one additional link having a link profile matching at least one aspect of the proifle of the requested link. . . .” because such selection would have provided “*an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.*” (See Angles (col. 2, ll. 45-50)).

As per dependent claims 30-31, Angles shows the method of claim 29.

Angles lacks explicit recitation of the elements and limitations of claims 30-31, even though Angles suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claims 30-31 were notoriously well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of claims 30-31,

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because such elements and limitations would have provided *“an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.”* (See Angles (col. 2, ll. 45-50)).

As per independent claim 32 Angles (col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67; and whole document) shows elements that suggest the elements and limitations of claim 32.

Angles lacks an explicit recitation of “a hidden search engine. . . .” even though Angles (col. 6, ll. 3-15; col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3; col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) suggests same.

It would have been obvious at the time of the invention to a person of ordinary skill in the art that the disclosure of Angles (col. 6, ll. 3-15; col. 2, ll. 18-43; the ABSTRACT; FIG. 1 through FIG. 11; col. 1, ll. 5-67; col. 2, ll. 1-67; col. 3, ll. 1-67; col. 4, ll. 1-67; col. 5, ll. 1-67; col. 6, ll. 1-67; col. 7, ll. 1-67; col. 8, ll. 1-67; col. 9, ll. 1-3;

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col. 10, ll. 1-67; col. 11, ll. 1-67; col. col. 14, ll. 1-62; col. 15, ll. 1-13; col. 16, ll. 1-67; col. 19, ll. 1-67; col. 20, ll. 1-67; col. 23, ll. 1-67) would have been selected in accordance with “a hidden search engine. . . .” because such selection would have provided “*an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.*” (See Angles (col. 2, ll. 45-50)).

As per dependent claims 33-37, Angles shows the method of claim 34 and subsequent base claims depending from claim 34.

Angles lacks explicit recitation of the elements and limitations of claims 33-37, even though Angles suggests same.

Official Notice is taken that both the concepts and the advantages of the elements and limitations of claims 33-37 were notoriously well known and expected in the art at the time of the invention. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include the elements and limitations of claims 33-37, because such elements and limitations would have provided “*an on-line advertising service which can custom tailor specific advertisements to particular consumers and track consumer responses to the advertisements.*” (See Angles (col. 2, ll. 45-50)).

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CONCLUSION

3. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Any response to this action may be sent via facsimile to either:

(703) 746-7239 or (703) 872-9314 (for formal communications EXPEDITED PROCEDURE) or

(703) 746-7239 (for formal communications marked AFTER-FINAL) or

(703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Seventh floor Receptionist
Crystal Park V
2451 Crystal Drive
Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


John L. Young

Patent Examiner

Partial Signatory Authority

February 10, 2003